

Remarks

Claims 28, 31-41, 44, 45, and 47 are pending. Claim 45 is currently amended. All other claims through Claim 46 are cancelled.

The Babu et al. reference is incorrectly cited as WO 93/1184. The correct reference number is US 5,112,882.

Support for Amended Claim 45

Claim 45 is currently amended without prejudice to include the limitations of claims 24, 26, 27, 30 and 43. Support for the amendment can be found in the claims that have been cancelled.

Patentability of Amended Claim 45

Currently amended claim 45 is believed to be patentable for at least the following reasons. In our response to the Office Action dated October 25, 2005, we pointed out a limitation of claim 45: (d) applying actinic radiation to crosslink the primer and the pressure sensitive adhesive. That is, *the pressure sensitive adhesive and the primer are crosslinked to each other*. As stated on page 11, line 30 to page 12, line 1 of the application as filed :

"In the tape construction of the present invention, a pressure sensitive adhesive, generally a poly- α -olefin pressure sensitive adhesive is coated onto the primed surface of the tape backing (i.e., substrate) *prior to being crosslinked*." (emphasis added)

To establish a *prima facie* case of obviousness, the references must teach or suggest all the claim limitations. A tape having a pressure sensitive adhesive and a primer *that are crosslinked to each other* is not taught or even suggested by the references, or combinations thereof, as cited in the Office Action of April 11, 2008.

Response to Rejections*35 USC 112 Rejections*

Claims 24, 26-28, 44, 45, and 47 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The Examiner states that the claim(s) contain subject matter which was not described in the specification in such a way as to reasonably contain to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 24, 26, 27, 30 and 43 have been cancelled, thus the rejection with respect to these claims is considered moot. Claim 45 has been amended to include the limitations of claims 24, 26, 27, 30 and 43, thus the rejection with respect to claim 45 is considered moot. All remaining pending claims are dependent on claim 45, thus the rejection with respect to these claims is considered moot. Withdrawal of this rejection is respectfully requested.

35 USC 103 Rejections

Claims 24, 26-28, 30, 31, 37-45, and 47 are rejected under 35 USC 103(a) as being unpatentable over Babu et al. (US 5,112,882) taken in view of Davison (US 3,970,771), and further in view of Bragole (US 4,859,540) taken as state of the art. Claims 24, 26, 27, 30 and 42 have been cancelled, thus the rejection with respect to these claims is considered moot. Claim 45 has been amended as described above, thus the rejection with respect to claim 45 is considered moot. Claims 28, 31, 37-41, 43, 44 and 47 depend from amended claim 45, thus the rejection with respect to these claims is considered moot.

Claims 32 and 33 are rejected under 35 USC 103(a) as being unpatentable over Babu et al. (US 5,112,882) in view of Davison (US 3,970,771) and Bragole (US 4,859,540) as applied to claim 45 above, and further in view of Mori et al. (US 5,037,885). Claims 32 and 33 depend from amended claim 45, thus this rejection is considered moot.

Claims 34-36 are rejected under 35 USC 103(a) as being unpatentable over Babu et al. (US 5,112,882) in view of Davison (US 3,970,771) and Bragole (US 4,859,540) as applied to claim 45 above, and further in view of Groves (US 5,677,376). Claims 34-36 depend from amended claim 45, thus this rejection is considered moot.

Summary

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration and allowance of the claims at an early date is solicited.

Respectfully submitted,

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Date

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